

**From:** <bbth@global2000.net>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 7:14 PM  
**Subject:** Copy protection built into VCRs

FROM:

NAME: William Thompson  
ADDRESS: 315 Kinderhook Lane  
Nassau, NY 12123

This message was sent to:

Dear Chairman

\*\*\*\*\*

Copy of message text follows:

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It is a matter of great concern to me that the MPAA is requesting that copy protection be built into VCRs to prevent users from making personal tapes of digital broadcasts. This is a violation of fair use. In no way does an individual violate copyright by taping for personal use. The MPAA's request would overstep the bounds of their copyright. I urge to to strongly reject this idea nad uphold the concept of fair use.

Thank you  
William Thompson, Ph.D.

**From:** <mpriest@microsoft.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 7:13 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Matthew Priestley  
ADDRESS: 15209 NE 16th Place, Apt 20  
Bellevue, WA 98007

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I appreciate this opportunity to express my disagreement with the reduction of Fair Use freedoms suggested in connection with digital VCR recordings. The act of time-shifting a television broadcast for personal reconsumption has been upheld as a consumer right, not a privilege granted at the tolerance of broadcast producers.

The question of potential piracy is entirely irrelevant to this issue, as the financial welfare of the members of the MPAA should not and cannot be a component in your consideration. The Supreme Court has held that recording for personal use is a liberty protected by the Constitution's construction of copyright law. The Constitution is generally regarded, even in this latter age, as a precedent to which moneyed interests take a rear seat.

I trust you will make the right decision in this issue and preserve the liberties American consumers currently enjoy.

Yours,  
Matthew Priestley  
mpriest@microsoft.com

**From:** <trbarry@trbarry.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 10:19 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Tom Barry  
ADDRESS: 30200 Rock Creek Dr.  
Southfield, MI 48075

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding.

In addition, please consider the unreasonable user burden that could occur if all unidentified and unprotected (analog) connections were wrongly assumed to be recording equipment and degraded accordingly. The connections to most existing HDTV displays are indistinguishable from recording devices and yet can not be degraded without destroying much of the investment value of early adopters.

Thank you for reading my views.

Sincerely,

Tom Barry

**From:** <jbenoit@heavy-iron.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 10:22 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: jeffrey benoit  
ADDRESS: 1284 havenhurst dr  
la, CA 90046

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding. Thank you for reading my views.

Please take action to stop this kind of corporate bullying of consumers. This can only force people to break the law and become criminals. What kind of state do we live in when everyone is a criminal? Perhaps we should install cameras inside all of our homes, so that we may be monitored better. Perhaps we should should all start to adjust to the new corporate communist way?! So this is the downside of a market economy and the capitalist regime? Communism falls 10 years ago, is capitalism next?

Sincerely  
Jeff Benoit

**From:** <murrayp2@acm.cse.msu.edu>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 10:22 PM  
**Subject:** MPAA abuse of consumer rights.

FROM:

NAME: Peter Murray  
ADDRESS: 1060 E Long Lake Rd  
Bloomfield Hills, MI 48304

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I beleive that the MPAA is exerting too much control on what I, the consumer does in my very own home. If I want to make a copy of a movie to watch later, in the privacy of my own home, I should be allowed. Safeguards such as Macrovision have only hurt the individual consumer, and not the professional pirates that really impact the industry.

**From:** <trbarry@trbarry.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 10:19 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Tom Barry  
ADDRESS: 30200 Rock Creek Dr.  
Southfield, MI 48075

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding.

In addition, please consider the unreasonable user burden that could occur if all unidentified and unprotected (analog) connections were wrongly assumed to be recording equipment and degraded accordingly. The connections to most existing HDTV displays are indistinguishable from recording devices and yet can not be degraded without destroying much of the investment value of early adopters.

Thank you for reading my views.

Sincerely,

Tom Barry

**From:** <pdp8@mediaone.net>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 10:14 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: John McClain  
ADDRESS: 59 Mount Vernon St  
Arlington, MA 02476

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service. The Commission should take action to protect the interests of consumers in this proceeding.

Forcing copy protection on every device hooked up to a digital cable TV connection will place severe limits on fair use and promote a world where every piece of information consumers access is paid for individually and on every viewing. Not only will time and space shifting be at risk but such a pervasive copy protection scheme has the potential to seriously limit the meaningful exchange of ideas in the United States. If I can't share what I have viewed with others, how can I talk about with them?

Not only are meaningful fair use rights at stake, but it seems likely that such pervasive copy protection schemes will have a significant negative impact on consumer devices designed to record or process digital TV signals. Copy protection will raise the costs of these devices, make them harder to use, delay their entry into the market, create barriers of entry for new manufactures, and retard the invention of new devices. Finally the sorts of copy protection schemes being proposed by the Hollywood studios will also hurt the open software movement since it is unlikely that open source developers will be given access to the intellectual property necessary to decrypt the signals in question.

Thank you for reading my views.

Sincerely  
John McClain

**From:** <steve\_m8888@hotmail.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 10:13 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Christopher Woodard  
ADDRESS: 527 Santa Barbara Rd.  
Berkeley, CA 94707

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding. Thank you for reading my views.

Sincerely,  
Chris "I'm a real person!" Woodard

**From:** <eramsey@erols.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:59 PM  
**Subject:** Home recording and digital television

FROM:

NAME: Elizabeth Ramsey  
ADDRESS: 1741 Preston Rd  
Alexandria, VA 22302

This message was sent to:

Rep. James Moran

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Copy of message text follows:

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I understand that the Federal Communications Commission soon will be deciding whether VCRs and other recording devices can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios, the MPAA, and other representatives of the entertainment industry apparently claim that home recording is the same as theft of service and that this justifies limiting home taping by consumers such as me. I think the FCC should protect my right to record for private, noncommercial viewing any programming I get from my cable system. The FCC also should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service. I would appreciate your advising the FCC to keep the interests of consumers foremost in mind in drafting new regulations. I should have the freedom to tape what I want for my own private, noncommercial viewing. Thank you for your attention to my views.

Sincerely,

Elizabeth W. Ramsey

**From:** <danknight@netscape.net>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:57 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Willaim Knightly  
ADDRESS: 143 Oakland Ave  
Methuen , MA 01844

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping ,this is little different then arguments presented by Hollywood during the Betamax trial. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! Any restriction of fair use for consumers will have little effect on piracy, in fact such restrictions may well increase the market for pirated and unrestricted movies and media. In short, the Commission should take action to protect the interests of consumers in this proceeding. Thank you for reading my views.

Sincerley,  
William Knightly

**From:** <jaylaprade@yahoo.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:55 PM  
**Subject:** FCC ruling vs. MPAA on copy protections

FROM:

NAME: Jason Laprade  
ADDRESS: 1694 Jonathon St  
Vista, CA 92083

This message was sent to:

Dear Chairman

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Copy of message text follows:

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Let me begin by saying that I am proudly served in the US Navy for 6 years. During my time on active duty I worked in an acute psychiatric care facility for active duty Marines. I worked a considerable time of my time on night shifts. During that time, I did not have a family and due to the low standard of living provided by the US government, I watched Television quite frequently. 90% of the television I watched was recorded. Basically my point is, for a majority of poor to poor-middleclass Americans television is one of the only forms of entertainment that they have. And as someone who had to record his television on a daily basis, this ruling would severely effect me. Please consider this when you do decide.

Thank you for your time,

Sincerely,

Jason Laprade

**From:** <hpguru@hotmail.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:51 PM  
**Subject:** Cable systems' compatability with consumer electronics equipment

FROM:

NAME: Mark Shaffer  
ADDRESS: 1842-C Oakridge Drive  
Charleston, WV 25304

This message was sent to:

Dear Senator Robert Byrd  
Dear Senator John Rockefeller  
Rep. Robert Wise

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Copy of message text follows:

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I understand the Federal Communications Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping by consumers. I think the FCC should protect my right to record and view any programming I get from my cable system. The Commission also should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! I would appreciate your advising the FCC to keep the interests of consumers foremost in mind in drafting new regulations. Thank you for considering my views.

**From:** <coldfuzn@flatirons.org>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:44 PM  
**Subject:** Limits on Recording, Freedom

FROM:

NAME: Anwar Kashem  
ADDRESS: 285 Plantation St Apt 324  
Worcester, MA 01604

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I remember walking into the Jefferson Memorial one day last summer, and in awe, beholding the inscriptions on the walls; these defiant declarations of freedom and liberty. One particularly stunning quotation was:

"I have sworn upon the altar of god eternal hostility against every form of tyranny over the mind of man."

Yet every day, events occur that undermine these original visions of our forefathers, the great men who risked fines, imprisonment, and even their lives for the principles of liberty and freedom. the MPAA and other agencies now want to prevent the recording of television, broadcast over public airwaves. Fair use has been upheld by the Supreme Court, which in the case of analog VCRs allowed for time shifting via recording of programs. Yet once again, with blatant disregard for the ruling of the high court, the MPAA and affiliated agencies bring the same case before you, this time under the guise of protection of digital media. I hope that you will remember that regardless of the encoding of the bits which carry this information accross our airwaves, be it analog or digital, that the ideas of fair use still apply.

Although I have no assurance that anyone will ever read this note, I still hold onto the hope that there is still some sincerity left in such proceedings, and that the voice of every interested person may be heard, as was the intention our system of Democracy.

Sincerely,

Anwar Kashem

**From:** <clay@haapi.mn.org>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:43 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Clayton Haapala  
ADDRESS: 2309 Archers Lane  
Minnetonka, MN 55305

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I write to you as a software programmer, a musician who has written my own music, and as an author (in a small capacity), so I believe I have a valid opinion regarding theft of intellectual property.

We stand at the brink of a great leap in the quality of product (in terms of digital quality of video and audio) available to the consumer. Your commission has done much work to assure that incompatibility of standards be resolved as to not hinder usage of new technology such as HDTV, and I applaud that. The history of audio tape (the savior of all of us who backed-up our vinyl LP records) and video tape (an entire new revenue stream for the content industry along with the consumer convenience of time-shifting broadcasts) show that consumer ability to make copies of this content is a good thing for all.

I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding. Thank you for reading my views.

Sincerely,  
Clayton Haapala

**From:** <ckronenw@execpc.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:39 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Charles Kronenwetter  
ADDRESS: 16790 W Melody Dr  
New Berlin, WI 53151

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. This is the same industry position which was long ago overruled in the Betamax case. Fair use doctrine has long since held that recording for personal use, time shifting, or any legal non-commercial purpose is perfectly legal.

(If this shortsighted policy had been enforced, the entire video industry which has made billions for the entertainment conglomerates would have been stillborn.)

The agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding. Thank you for reading my views.

Yours truly,  
Charles Kronenwetter

**From:** <felix@crowfix.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:34 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Felix Finch  
ADDRESS: PO Box 227  
Dutch Flat, CA 95714-0227

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I see the MPAA wants all video receivers, recorders, TVs, etc, to be jiggered so they can't be used for recording. They claim that altho this \*could\* be used to prevent all time shifting, fair use, etc, it won't be. Their motto is apparently "trust us" -- these are the same fine folks who wanted to make VCRs illegal, but strangely enough, they've probably made more money from video sales and rentals than any increase in movie tickets would have done. Hmmm... same as the RIAA trying to ban cassettes.

Do you see the pattern there? Please don't let these idiots ban or control technology. Piracy comes from factories and countries, not home users. All they will do is stifle their own industry and annoy consumers.

Please tell them to get a clue and join the future rather than fight it.

Signed,  
An Old Fart who likes the future

**From:** <trog@wincom.net>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:17 PM  
**Subject:** PP Docket No. 00-67

FROM:

**NAME:** Dennis Grant  
**ADDRESS:** 25999 Lawrence Ave  
Center Line, MI 00000

This message was sent to:

Dear Chairman

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Copy of message text follows:

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Although this is boilerplate, I fully support the following statement:

"I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding. Thank you for reading my views."

More to the point, the large industry associations (the MPAA and the RIAA) represent a select cabal of media \_distributors\_ highly intent on not only preserving their current monopoly, but on extending it. These associations do not speak for artists, nor do they speak for consumers. They speak solely on the behalf of the middlemen who take content out of the hands of artists, jack up the price, and then dole it out as miserly as they can to consumers.

By listening carefully to the demands of the MPAA and the RIAA, and then doing the exact opposite, the FCC is assured of doing the best service to the greatest good.

Please do not fall into the web of those who would deny us every freedom they could, if they stood to gain financially from that loss of freedom.

Thank you,

Dennis Grant

**From:** <beby@leveltwo.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:17 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Robert Eby  
ADDRESS: 18234 SE 41st Ln #E-101  
Bellevue, WA 98006

This message was sent to:

Dear Chairman

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Copy of message text follows:

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We need to think very carefully about restrictions placed on consumer electronics to provide "copy protection".

For instance, who will control how these new electronic devices work? Further, will there be a charge involved in licensing of this 'technology' that allows copy protection to take place?

If the industry that produces works in need of protection is also the industry regulating creation of consumer electronics used to use/view those works won't they be tempted to add more restrictions than necessary under current copyright law? Wouldn't this be a conflict of interest?

For example, the DVD CCA has created a 'technology' called CSS that purportedly protects DVD's from being illegally copied. One problem with this setup is that the CCA is largely controlled by the MPAA, a group of film companies interested in capitalizing on their intellectual property rights. So, the DVD players that are allowed license under the CCA have several interesting characteristics in common.

They don't allow users to skip an intro track on DVD's designed to hold an FBI warning, but which on some DVD's hold advertisements in addition. So, consumers lose the right to skip advertisements associated with the product they bought.

Further, these players do not allow copying of DVD's for backup purposes, something that IS allowed by copyright law. They also don't allow copying of a portion of the work for purposes of quotation in another copyrighted work.

Also, there is a charge associated with being a "licensed" DVD player manufacturer. Now, certainly the creators of the CSS think they are entitled to make money off their creation, but I argue that this is not a fair way to do it. But there are a few problems. First this makes it impossible for any non-profit organization(think libraries) to make a free version of the player that can be given out for no charge. (since it costs money on a per player basis for CSS, CSS can't be given away) The only reason that player

manufacturers (and consumers) are willing to use this technology is because the MPAA (the producers of copyright material) choose to distribute only under that media on DVD's. So, the consumers end up with the double whammy of A) having to live under a system of CSS that limits their rights unfairly as mentioned earlier, and B) having to pay for the development and support of that system. This essentially creates an instant monopoly in the "copy protection" of a particular kind of work in a particular kind of forum. No one else can compete because the ones using the scheme are the ones who came up with it (or at least it's idea). There might be competition over who gets awarded the monopoly, but the monopoly will always remain. This is a government granted monopoly, because without government granted copyright laws, it would never have existed.

If consumers were the ones creating and licensing this technology things might be a bit different. And in fact we have an example of this. A consumer wrote a piece of code called DeCSS(1) that basically removed all restrictions placed on DVD's by the CSS scheme. Now, perhaps this player allows consumers to step on producer rights by making any copies they want and removing all restriction, but is that more illegal then the things mentioned above that the producers did in their version of the player, that stepped on the rights of consumers?

So the question remains, who decides how these new electronic devices (hardware or software) will work?

The way I see it is the government has two options, step in and set up a body to govern the creation of such devices, making sure that there is no cost involved for per user licensing. Or get out of the way and let anyone with a compiler write code to do whatever it is they want to do.

If they try to give legal rights to write code for and tinker with information to one group and not another I don't like the implications... I've spent my whole life taking apart everything I buy and use to try to understand how it works. Why? I don't know I was just born curious. But I do know it's the thing that makes me good at what I do. I'm a full time software developer who pays about \$15,000 in taxes every year and I don't like the idea of that money going to make my curiosity a crime.

Some companies will still try to write copy protection, and others (or end users) will try to make workarounds, or "cracks" of that copy protection, but whoever has the best technology (read knowledge and brains) will win. To me that's free enterprize at its best.

I guess the 80's and 90's must have been a terrible decade for the movie, software, and music industries since all of a sudden we need all these new laws to protected their intellectual property.

(1) DeCSS was written through perfectly legal black box reverse engineering. I say this because the only law that stopped distribution of this player was the DMCA which specifically says devices for circumvention of copyright protection are illegal so if CSS is a copyright scheme, then DeCSS is illegal. The question I pose is, "Is CSS a copy protection scheme?" I ask this because it does far more than protect copyright. In fact, I sometimes wonder if any automated device for restricting copy can do so fairly without stepping on the rights of the consumer.

Yours in hope of rationality,

**From:** <tcagoon@ameritech.net>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:16 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Tim Cahoon  
ADDRESS: 23590 Edinburgh  
Southfield, MI 48034

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I am very concerned about this issue. The MPAA has the right to be concerned over theft, but let me record my programs and watch them when I want. I can do that today and I should be able to do it in the future.

The next step, if the MPAA gets their way, is then to restrict the watching of tapes to the machines they were recorded on. Today digital or HDTV VCRs are expensive but in the future we we all them in the Den and the living room like we do today. Are we being thieves watching a show on another machine?

I know that they want me to stop taking the recording I made of "Antique Roadshow" over to my mother-in-laws house for her to watch after Sunday Dinner.

I understand the Commission soon have to decide whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed.

Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding. Thank you for reading my views.

Please protect our rights as consumers

Tim Cahoon

**From:** <paulh@wolfram.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:13 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: P.J. Hinton  
ADDRESS: 1829 Parkdale Dr.  
Champaign, IL 61821

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed.

I encourage the commission to rule against the wishes of the MPAA on this matter.

The principle of copyright is not a license for the holder to exercise absolute control over content. The legal protection given to holders is balanced by the rights of the consumer to matters such as first sale and fair use.

I believe the MPAA is trying to leverage its control of the motion picture market to chip away at consumer rights by introducing proprietary, cumbersome, and intrusive technology in the name of copyright.

The Constitution grants Congress the power to pass copyright laws for the advancement of useful arts and sciences. It does not exist to further fatten the pocketbooks who have benefitted most from it.

Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service!

Thank you for your consideration.

Sincerely,

P.J. Hinton  
Software Developer

**From:** <rmaxwell@mindspring.com>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 9:09 PM  
**Subject:** Fair Use and VCRs

FROM:

NAME: Robert Maxwell  
ADDRESS: 24126 Welsh Road  
Gaithersburg, MD 20882

This message was sent to:

Dear Chairman

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Copy of message text follows:  
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As a citizen who finds the not-so-subtle encroachment onto the individual's rights to fair and personal use of broadcast material by the MPAA and other industry groups whose interest springs from their own avaricious self-interest, I urge you to spurn any request to further curtail any and all previously defined rights to record broadcast events, regardless of format or medium. Please send the message that the use of the public airwaves and bandwidth require public service, and ensure personal freedom is such a service.

Sincerely,

Robert Maxwell

**From:** <skaaba@bayarea.net>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 8:55 PM  
**Subject:** MPAA and HRRC Digital Copyright Issue

FROM:

NAME: Aaron Bate  
ADDRESS: 4285 Sedge St.  
Fremont, CA 94555

This message was sent to:

Dear Chairman

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Copy of message text follows:

\*\*\*\*\*

I think that any form of copyright protection on televisions, VCRs, and any other form of recording devices would be undermining our ability to watch movies as we wish.

Some of us are exceedingly busy people, who would like to record a certain show and save it until we have the time to watch it, all at once or part at a time.

Say, if one were a doctor, who had been home for a while and decided to buy an movie and watched it for an hour but got a emergency page which needed his/her help and left to go to the hospital. Should he/she have to pay for the movie all over again? Or record the remainder and save it to view when he/she returns home.

This situation would only mean more or less profits for the MPAA. The MPAA would get less profits because people wouldnt watch movies until they were absoutely certain they had the time to watch it.

Our current system allows us to record shows and save them for later consumition.

While piracy is an problem, there are better soultions than to the one the MPAA desires. I suggest some form of "pause" that would allow people to stop a show and to store it until they have the time to get around to watching it. I also suggest that this form of protection only be applied to paying movies, nothing else. The rest are technically public domain.

Also, this is an redudant arugement, but when we pay for the movie, we are paying for the right to view it. One time only or multiple times. It is more economical to broadcast movies than to invest time and resources into burning movies on DVD or putting them on tape. I think when we pay for a movie, we are paying for the right to view it. That incendially covers the right to store it. Artists often purchases stock images to be used into thier work. They paid for the image, and hence can do as they wish with it. It should be the same with paying movies.

Please listen to the HRRC, and do not put any form of copyright protection on

digital shows.

Thank you,

Aaron Bate

**From:** <aciel@speakeasy.net>  
**To:** DC.CMGI(AKitey)  
**Date:** Tue, Sep 5, 2000 8:33 PM  
**Subject:** MPAA and VCR Encryption

FROM:

NAME: John Woods  
ADDRESS: 4284 South 35th Street  
Arlington, VA 22206

This message was sent to:

Dear Chairman

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Copy of message text follows:

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The MPAA's attempt to place hardware encryption on VCRs and televisions is unjust.

I know that many people including myself are occasionally too busy to watch a favorite TV show, and choose to record it for later viewing instead. The same goes for movies; I can't always be there, but I do want to see them. I know this is true for many others as well.

In addition, this encryption would cause many current televisions and VCRs to become unusable, costing their owners hundreds if not thousands of dollars (the latter in the case of HDTV).

Please, do not place encryption on entertainment devices. It is unfair to the users, the people of the United States, as well as the designers of televisions and VCRs, who will have to invest more money in production and design.

Sincerely,  
John Woods  
aciel@speakeasy.net

**From:** "Richard Coleman" <richard\_coleman@jws.com>  
**To:** DC.GWIA("Bkennard@FCC.gov")  
**Date:** Wed, Sep 6, 2000 10:45 AM  
**Subject:** RE: PP Docket No. 00-67 (Home recording in the digital age)

Dear Chairman Kennard:

I am deeply concerned that the FCC is considering a request by content distributors to make maintaining our recording rights technologically impossible in the coming HDTV/Digital Cable/Satellite era.

Dating back to the now famous "Betamax" case the courts have long held that "time-shifting", "place-shifting", and "format-shifting" are acceptable "fair-use" rights of the consumer. First with the DMCA and now with this ill-considered scheme, copyright holders are trying to dictate with technology what they were unable to achieve in the courts, the elimination of "fair-use".

I believe that the FCC should enforce its regulations to protect consumers' rights in the digital era, specifically the rights granted under the "fair-use" doctrine of copyright law.

Additionally I believe that it is in the consumers' best interests if, like the phone system and analog television, a variety of manufacturers were allowed to produce and market interface/navigational devices in the digital age. You cannot have a digital-cable ready television if you are forced to rent your digital cable box from your locale cable company.

Finally, I would like to voice my support for Home Recording Rights Coalition. Apparently they are one of the only organizations standing up for the consumers' rights in this age of multimedia conglomerates and overly business friendly legislators.

Thank you for your time in this matter.

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Richard Coleman                      e-mail: Richard\_Coleman@jws.com  
Programmer/Analyst                  voice: (207) 827-4456 ext. 224

**CC:** DC.GWIA("Gtristani@FCC.gov","Mpowell@FCC.gov","Hfu...

**From:** Geoff Depew <mephron@earthlink.net>  
**To:** DC.GWIA("bkennard@fcc.gov")  
**Date:** Wed, Sep 6, 2000 3:54 PM  
**Subject:** Concerning PP Docket Number 00-67

Honored Commissioners of the Federal Communications Commission:

I am writing today concerning your PP Docket Number 00-67.

It is my firm belief that the requests of the Motion Picture Association of America (MPAA) must be rejected. The currently standing regulations of the Federal Communications Commission should remain in place.

The MPAA's request for the specialized licensing schemes for digital television is a direct slap in the face to the concept of 'Fair Use' as has been defined in multiple court cases in the past. They are, effectively, requesting that you overturn the Supreme Court's rulings in the Betamax case.

In addition, the MPAA's request seems to be an initial 'foot in the door' for the redefinition of 'Fair Use' on their terms; and on the redefinition of 'home recording', equating it to 'piracy'.

Also, the MPAA's request would lock out the early adopters of HDTV technology, rendering their significant investment completely useless except, perhaps, as an interesting curiosity.

Finally, the requests would force an artificial increase in the price of these items, as the makers would be forced to pay the licenses required to operate under these regulations - regulations and license fees that would be completely organized and demanded by the private sector, and therefore non-regulated. This has the possible result of damaging the import of electronics from overseas, as well as making American products non-exportable except in specialized versions. As having two product lines would be a non-optimal solution, it is economically more productive to allow the manufacturers to not be forced to create multiple forms of product which also required a potentially prohibitive licensing fee.

I would also like to point out that this is another front upon which the MPAA is fighting against the concept of 'Fair Use'. The recent lawsuit against the magazine 2600, which took place in New York City, was not at its core about piracy (which is, apparently, the flag that the MPAA wishes to fly their ship under). It was about the rights of a home user to watch the DVDs they had purchased on the computers they had purchased; and about the rights of fair use and reverse engineering, both of which are codified in American Law. The MPAA is attempting to use the FCC as their proxy in their fight against the concept of Fair Use.

It is my fervent wish that the FCC sees through their ploy and does not assist them in this.

I remain,  
Geoffrey Depew  
4 Crest Road  
Emerson, NJ 07630  
(201) 265-7663

**CC:** DC.CMGI(info),DC.GWIA("gtristani@fcc.gov","mpowell...

**From:** <rhea.esposito@oberlin.edu>  
**To:** DC.CMGI(AKitey)  
**Date:** Wed, Sep 6, 2000 2:19 PM  
**Subject:** digital TV

FROM:

NAME: Rhea Esposito  
ADDRESS: OCMR869 oberlin college  
Oberlin, OH 44074

This message was sent to:

Dear Chairman

\*\*\*\*\*

Copy of message text follows:

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Once all TV is digital it will be essential for consumers to be able to record programs. Being able to tape television programs is very important if you have a busy schedule, because you can't watch the shows you want to see when they are on and (if consumers wouldn't be allowed to record digital recording) you wouldn't be able to record them either. I am against this

Sincerely  
Rhea Esposito

**From:** <rcanup@hal-pc.org>  
**To:** DC.CMGI(AKitey)  
**Date:** Wed, Sep 6, 2000 2:19 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Robert Canup  
ADDRESS: 4506 Waycross Dr  
Houston , TX 77035

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed.

In my opinion, the case has already been decided by the Supreme Court of the United States in the Betamax decision. Therefore the commission has no choice but to obey this previously existing decision and continue to allow the fair use recording (such as time shifting) of such copyrighted material. The fact that technology is shifting from analog to digital is irrelevant, and the MPAA knows that. After having been slapped down in the Betamax case you would think that Jack Valenti and the MPAA would have learned their lesson, but they are still here years later trying to win before the FCC what they lost in the courts. It is not the FCC's place to overrule the Supreme Court.

Sincerely,  
Bob Canup

**From:** <bhough@jlc.net>  
**To:** DC.CMGI(AKitey)  
**Date:** Wed, Sep 6, 2000 2:31 PM  
**Subject:** PP Docket No. 00-67

FROM:

NAME: Brannen Hough  
ADDRESS: 9 Bryce Drive  
Merrimack, NH 03054

This message was sent to:

Dear Chairman

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Copy of message text follows:

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I understand the Commission soon will be deciding whether VCRs can be hooked up to digital cable systems, and whether home recording from digital cable will be allowed. Hollywood studios apparently claim that home recording is the same as theft of service and that this justifies limiting home taping. Your agency should protect consumers' rights to record and view DTV signals. The Commission should respect the Supreme Court's ruling in the Betamax case, and not equate private, noncommercial home recording with theft of service! In short, the Commission should take action to protect the interests of consumers in this proceeding. Thank you for reading my views.

I would also like to add some supporting comments in my own words. I find the whole idea that any portion of our government needs to revisit what was very deftly decided by our own Supreme Court via the Betamax case to be very frightening in itself. I have been both an electrical engineer and a software designer for over a decade and a half. In my professional opinion and experience there is absolutely no difference between using a VCR or similar device to record programs transmitted in analog vs. programs transmitted in digital. Any argument over 'signal quality' is irrelevant - for home use there is no difference. Simply by placing the word "digital" in front of the same arguments used nearly 20 years ago does not make them new, or relevant.

To illustrate that last point I made, I only need to quote from the New York Times article "Is litigation the best way to tame new technology?", printed Sept. 2, 2000. Jack Valenti, president of the MPAA, is quoted as saying: "The growing and dangerous intrusion of this new technology threatens an entire industry's economic vitality and future security." And goes on to say that the new technology "is to the American film producer and the American public as the Boston Strangler is to the woman alone."

Pretty harsh words I'd say. He said that before Congress in 1982, and was talking about Video Casette Recorders.

The VCR did not throttle the film industry, as the introduction of player pianos, and the litigation of 1908 that also went to the Supreme Court, did not put sheet music producers out of business. In point of fact, between motion pictures for theatrical release and VCR tape rentals, the MPAA is more